CARMEN A. TRUTANICH, City Attorney (SBN 86629x)
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Attorneys for Plaintiff
THE CITY OF LOS ANGELES

A7300
90032

Original

FILED
Los Angeles Superior Court

MAY 26 2010

John A. Clarke, Executive Officer/Clerk
By DOROTHY SWAIN, Deputy

Case assigned to Judge

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

CITY OF LOS ANGELES, a municipal corporation, Plaintiff, vs. FERNANDO FLORES; LOS ANGELES COUNTY TAX COLLECTOR; DOES 1 through 100; and ALL PERSONS UNKNOWN CLAIMING AN INTEREST IN THE PROPERTY TO BE CONDEMNED HEREIN, Defendants.	Case No.: BC438542 **COMPLAINT IN EMINENT DOMAIN** [Project Parcel No. 4AA - Soto Street Bridge over Mission Road and Huntington Drive Improvement Project] [APN 5211-019-001] [Exempt from filing fees – Government Code §6103]

Plaintiff, the City of Los Angeles, complains of defendants as follows:

1. Plaintiff, the City of Los Angeles, ("Plaintiff") is a municipal corporation and a local public entity of the State of California.

2. Defendants are all persons known and unknown to Plaintiff that Plaintiff is informed and believes claim an interest in the real property sought to be condemned in this complaint.

3. Defendants Does 1 through 100 and All Persons Unknown Claiming An Interest In The Property To Be Condemned are sued herein by fictitious names for the reason that their

true names are unknown to Plaintiff, and when such true names are ascertained, Plaintiff will seek leave to amend this complaint to substitute such true names for said fictitious names. Said defendants, and each of them, have or claim to have interests in or title to the parcels of real property described herein, but the nature, character, and extent of such titles or interests are unknown to Plaintiff at this time.

4. The parcel of real property sought to be condemned herein have been designated as Soto Street Bridge Project Parcel No. 4AA, 5211-019-001 consisting of all right, title and interest in and to the real property which is commonly known as 4124 North Mission Road, in the City of Los Angeles, County of Los Angeles, State of California, which property has been assigned Assessor's Parcel Number 5141-5211-019-001 ("Subject Property"), and which property is more particularly described as follows:

PARCEL 5211-019-001

PARCEL 1:

ALL THAT PORTION OF LOT(S) 1 AND 2 OF OMAHA HEIGHTS TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 52 PAGE(S) 69 AND 70 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, LYING WITHIN THE FOLLOWING DESCRIBED BOUNDARIES:

5. A map which portrays as far as practicable the Subject Property and its relation to the project for which it is to be condemned is attached hereto as Exhibit "A". The boundaries shown in Exhibit "A" may differ from the boundaries as described above. In the event of any such difference, the boundaries as defined above are the correct boundaries.

6. The names of owners and claimants known to Plaintiff to have an interest in the Subject Property and a statement of the claimed interest of each owner and claimant are set forth below solely for the convenience of the court and parties, and not as allegations to which Plaintiff intends to be bound.

NAME	CLAIMED INTEREST
Fernando Flores	Owner
Los Angeles County Tax Collector	Lien Holder

7. The public interest and necessity require the acquisition by Plaintiff of the property described herein.

8. Said property is for a public use, specifically, in connection with the City of Los Angeles' construction of street realignment, bridge/overpass removal and public park and convenient thereto ("Project").

9. The public interest and necessity require said project.

10. Said Project is planned and located in a manner that will be most compatible with the greatest public good and the least private injury.

11. The property sought to be acquired herein is necessary for the Project.

12. Plaintiff is entitled to acquire the above-described interests under the authority of Article I, Section 19 of the California Constitution and Code of Civil Procedure Sections 1240.110, 1240.120 and 1240.140.

13. Plaintiff, at a regular meeting of it's the Los Angeles City Council ("City Council"), by not less than a two-thirds vote of all of the members of said City Council, adopted a resolution which found and determined that the public interest and necessity require the

acquisition of the Property described herein for public uses and the purposes set forth herein, and authorized and directed Plaintiff's attorneys to institute eminent domain proceedings for the acquisition of the Property. Additionally, the City Council found and determined that an offer was made for the Property in accordance with Section 7267.2 of the Government Code. A copy of the Resolution of Necessity is attached hereto as Exhibit "B".

14. To the extent the property described herein may already be devoted to a public use, the plaintiff's proposed use will not unreasonably interfere with or impair the continuance of the public use as it exists or may reasonably be expected to exist in the future or the proposed use is a more necessary public use than such existing public uses. Reference is made to Code of Civil Procedure sections 1240.510 and/or 1240.610.

///

///

///

WHEREFORE, Plaintiff prays:

1. That defendants, and each of them, be required to set forth in answer to this complaint the nature and extent of the interests claimed by each of them in the real property sought to be condemned in this action;

2. That such interests of the defendants be determined and adjudicated in this action and the just compensation for each of them be separately ascertained and adjudicated;

3. That, upon payment to the defendants entitled to just compensation, or into court for their benefit, of the amount of just compensation so ascertained, the court make and enter a final order of condemnation conveying the Property described herein; and

4. For such other and further relief as the court may deem proper.

DATED: May 26, 2010

Respectfully submitted,

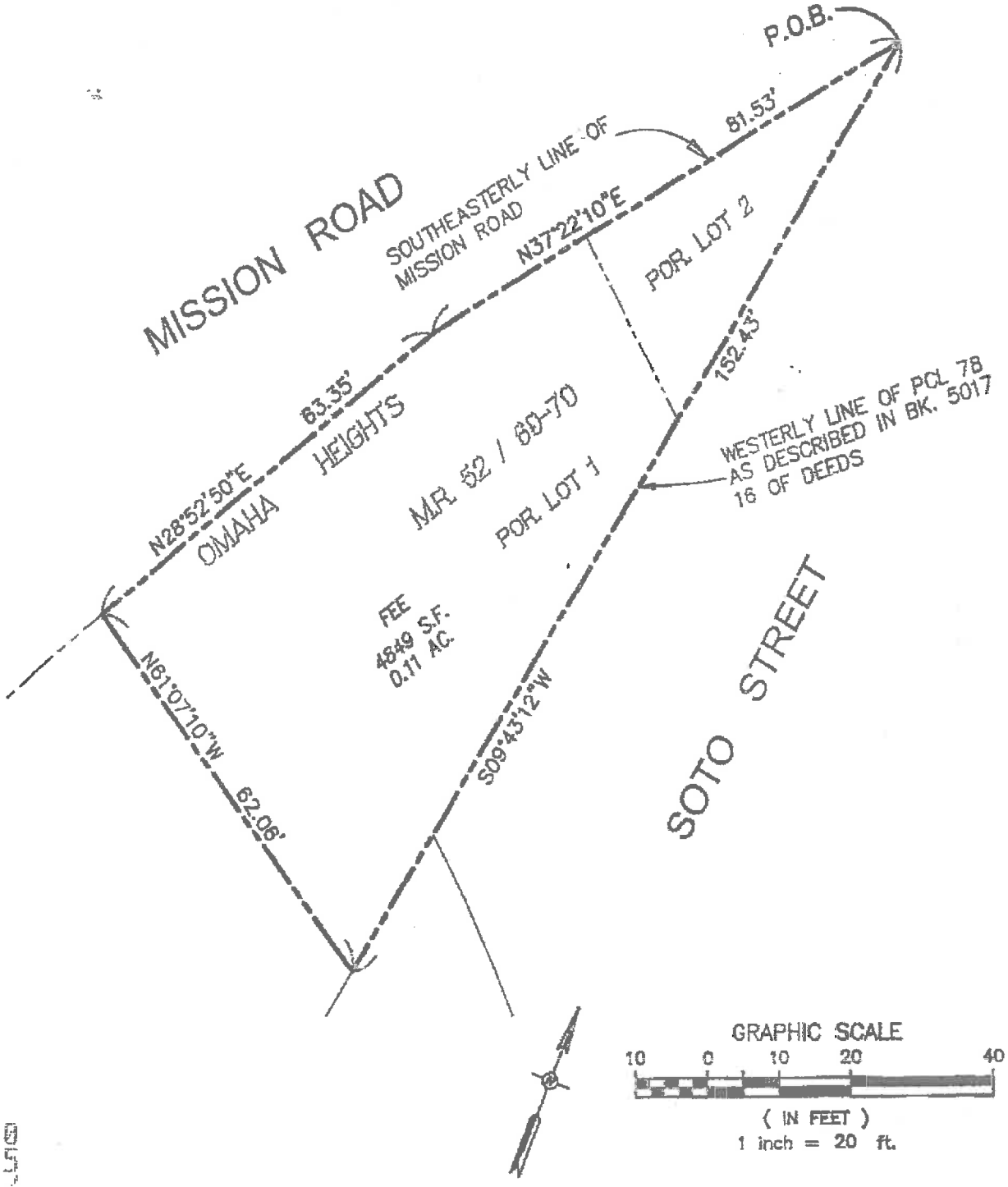
CARMEN D. TRUTANICH, City Attorney
JOHN A. MINOR, Deputy City Attorney

By_____
JOHN A. MINOR
Deputy City Attorney

Attorneys for Plaintiff
THE CITY OF LOS ANGELES

M:\Real Prop_Env_Land Use\Real Property_Environment\
John Minor\Flores\Litigation\Complaint in Eminent Domain.doc

EXHIBIT "A"



THE CULVER GROUP CONSULTING ENGINEERS • LAND SURVEYORS CONSTRUCTION MANAGERS 12387 Lewis Street, Suite 201 GARDEN GROVE, CA. 92840 714/980-2160 Fax 714/980-2161	PROJECT NAME: HUNTINGTON / SOTO LOS ANGELES	SHEET 1 OF 1
		DATE: 5-28-08
	SHEET TITLE: APN 5211-019-001	DRAWN BY: KT
		CHECKED BY: GC
		Job No. HDR0101

R/W # 33678-4AA

JUNE LAGMAY
City Clerk

HOLLY L. WOLCOTT
Executive Officer

When making inquiries relative to this matter, please refer to the Council File No.

CITY OF LOS ANGELES
CALIFORNIA

ANTONIO R. VILLARAIGOSA
MAYOR

Office of the
CITY CLERK

Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
General Information - (213) 978-1133
Fax: (213) 978-1040

www.cityclerk.lacity.org

CERTIFICATION

STATE OF CALIFORNIA

} ss.

COUNTY OF LOS ANGELES,

I, City Clerk of the City of Los Angeles and ex-officio Clerk of the City Council of the City of Los Angeles, do hereby certify and attest the foregoing to be a full, true and correct copy of the original **Ordinance 181067**, in its entirety on file in my office, and that I have carefully compared the same with the original.

In Witness Whereof, I have hereunto set my hand and affixed the Seal of City of Los Angeles, this 24th day of May 2010.

City Clerk of the City of Los Angeles

By _____
Maria C. Rico, Deputy

ORDINANCE NO. 181067

An Ordinance of the City of Los Angeles finding that the public interest and necessity require the "Soto Street Improvement Project", and the acquisition of property therefore. (Work Order No. E700300L Right of Way No. 33678-4AA)

THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:

Section 1. The Council of the City of Los Angeles resolves, finds and determines that the public interest and necessity require the "Soto Street Improvement Project" (Work Order No. E700300L Right of Way No. 33678); the project is planned and located in the manner which is most compatible with the greatest public good and the least private injury, and the property described herein and as set forth in Exhibit A is necessary for the project; and the property has been appraised and an amount has been established for the property which it is believed to be just compensation for the property, and an offer has been made to the owner of record to acquire the property for the full amount of said just compensation.

Sec. 2. The property is to be acquired for permanent public street purposes under the authority of California Government Code Section 37350.5.

Sec. 3. The property to be acquired is located at 4124 North Mission Road in the City of Los Angeles, County of Los Angeles, State of California, APN 5211-019-001. The property interests to be acquired are set forth hereinafter and the extent of the acquisition is described by reference to the attached R/W Map No. 33678-4AA attached as Exhibit B.

Sec. 4. Notice has been given by first class mail to the person whose property is to be acquired by eminent domain, which notice advised such person of the intent of the Council to adopt this Ordinance, of the right to appear and be heard by the Council, and the owner who so requested was given an opportunity to appear and was heard by the Council.

Sec. 5. The City Attorney is authorized to commence an action in eminent domain to acquire said property in fee.

Sec. 6 . The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, **by a vote of not less than two-thirds** of all of its members, at its meeting of JAN 20 2010.

JUNE LAGMAY, City Clerk

By _____
Deputy

Approved JAN 29 2010

_____
Mayor

Approved as to Form and Legality
CARMEN A. TRUTANICH, City Attorney

By _____
Deputy City Attorney

DATE: Nov. 25, 2009

File No. 09-2894

I reviewed the attached plat and it appears to accurately depict the alignment and/or configuration requested for this project

Gary Lee Moore P.E., City Engineer

By: _____ Date: 11/9/09
Project Manager

EXHIBIT "A"

THAT PORTIONS OF LOT 1 AND LOT 2 OF THE OMAHA HEIGHTS TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER THE MAP FILED IN BOOK 52, PAGES 69 AND 70 OF MISCELLANEOUS RECORDS, ON FILE AT THE COUNTY RECORDERS OFFICE OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF SOUTHEASTERLY RIGHT-OF-WAY LINE OF MISSION ROAD AND THE WESTERLY RIGHT-OF-WAY LINE OF PARCEL 78 AS DESCRIBED IN DEED FROM PACIFIC ELECTRIC LAND COMPANY TO PACIFIC ELECTRIC RAILWAY, RECORDED IN BOOK 5017, PAGE 16 OF DEEDS; THENCE ALONG SAID WESTERLY LINE OF PACIFIC RAILWAY SOUTH 09°43'12" WEST 152.43 FEET; THENCE NORTH 61°07'10" WEST 62.06 FEET TO THE SOUTHEAST LINE OF MISSION ROAD; THENCE ALONG SAID LINE THE FOLLOWING TWO (2) COURSES:

1. NORTH 28°52'50" EAST 63.35 FEET;
2. NORTH 37°22'10" EAST 81.53 FEET TO THE POINT OF BEGINNING;

CONTAINS 0.11 ACRES, MORE OR LESS.

EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART THEREOF

PREPARED UNDER MY DIRECTION

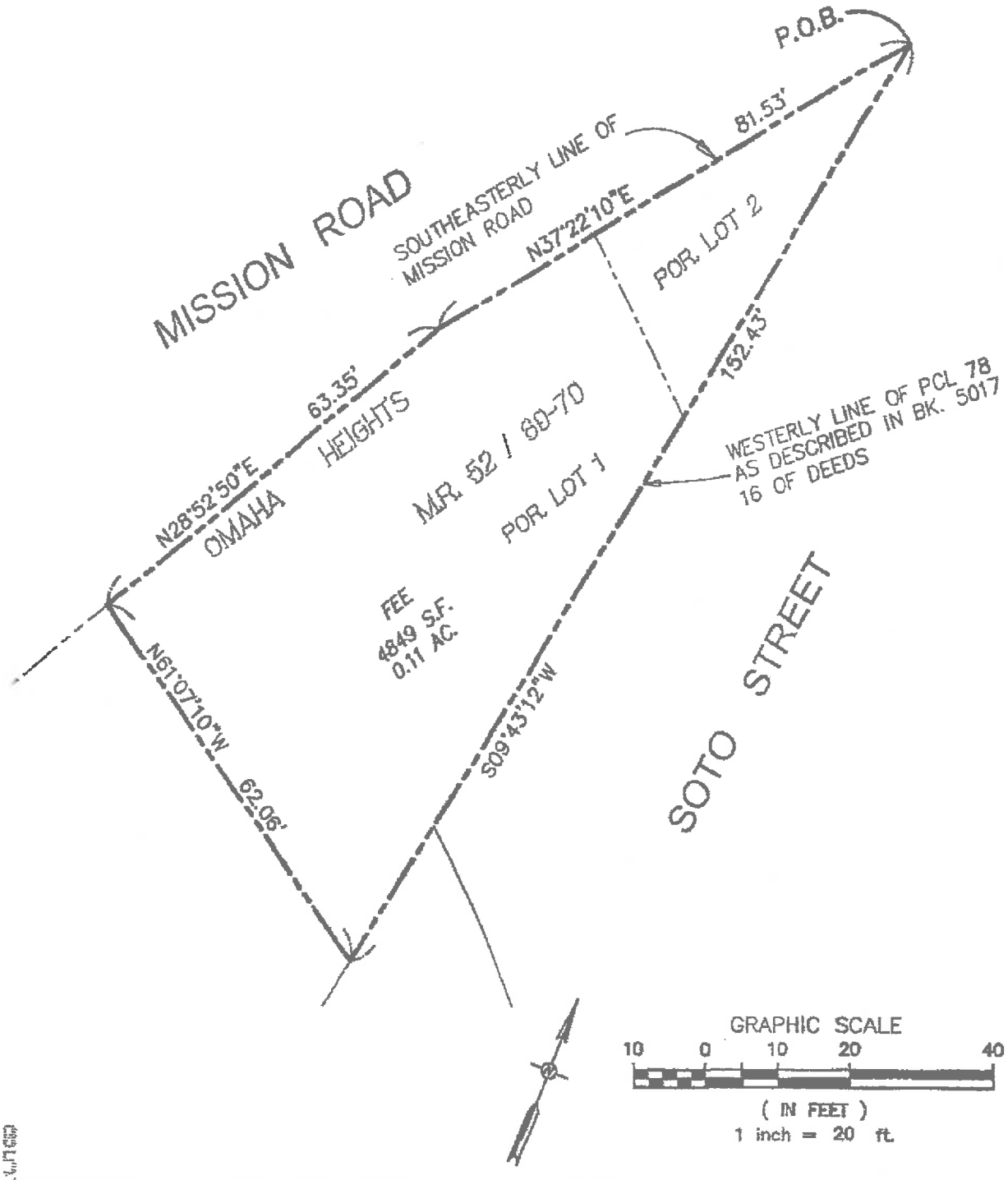
GLENN E. CULVER P.L.S. 5420
LICENSE EXPIRES 09/30/08

MAY 28, 2008
DATE

LICENSED LAND SURVEYOR
GLENN E. CULVER
LS 5420
STATE OF CALIFORNIA

5211-019-001

EXHIBIT "B"



THE CULVER GROUP CONSULTING ENGINEERS • LAND SURVEYORS CONSTRUCTION MANAGERS 12387 Lewis Street, Suite 201 GARDEN GROVE, CA. 92840 714/980-2160 Fax 714/980-2161	PROJECT NAME: HUNTINGTON / SOTO LOS ANGELES	SHEET 1 OF 1
		DATE: 5-28-08
	SHEET TITLE:	DRAWN BY: KT
	APN 5211-019-001	CHECKED BY: GC
		Job No. HDR0101

DECLARATION OF POSTING ORDINANCE

I, MARIA C. RICO, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. 181067 – "Soto Street Improvement Project" and the acquisition of property thereof. (Work Order No. E700300L Right of Way No. 33678-4AA) - a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on **January 20, 2010**, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, on **February 1, 2010** I posted a true copy of said ordinance at each of the three public places located in the City of Los Angeles, California, as follows: 1) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; 2) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; 3) one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Copies of said ordinance were posted conspicuously beginning on **February 1, 2010** and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this **1st** day of **February 2010** at Los Angeles, California.

Maria C. Rico, Deputy City Clerk

Ordinance Effective Date: March 13, 2010 **Council File No. 09-2894**

Rev. (2/21/06)

03/15/10

CARMEN A. TRUTANICH, City Attorney (SBN 86629x)
JOHN A. MINOR, Deputy City Attorney, (SBN 74792)
200 North Main Street
700 City Hall East
Los Angeles, CA 90012-4130
TELEPHONE NO.: (213) 978-8255 FAX NO.: (213) 978-8090
ATTORNEY FOR (Name): CITY OF LOS ANGELES, a municipal corporation

FILED
Los Angeles Superior Court
MAY 26 2010
John A. Clarke, Executive Officer/Clerk
By [signature], Deputy
DOROTHY SWAIN

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
STREET ADDRESS: 111 NORTH HILL STEREET
MAILING ADDRESS: SAME
CITY AND ZIP CODE: LOS ANGELES, CALIFORNIA 90012
BRANCH NAME: CENTRAL DISTRICT

CASE NAME: CITY OF LOS ANGELES vs. FERNANDO FLORES, et al.

CIVIL CASE COVER SHEET
[X] Unlimited (Amount demanded exceeds $25,000) [ ] Limited (Amount demanded is $25,000 or less)

Complex Case Designation
[ ] Counter [ ] Joinder
Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

CASE NUMBER: BC438542
JUDGE:
DEPT:

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort
- [ ] Auto (22)
- [ ] Uninsured motorist (46)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort
- [ ] Asbestos (04)
- [ ] Product liability (24)
- [ ] Medical malpractice (45)
- [ ] Other PI/PD/WD (23)

Non-PI/PD/WD (Other) Tort
- [ ] Business tort/unfair business practice (07)
- [ ] Civil rights (08)
- [ ] Defamation (13)
- [ ] Fraud (16)
- [ ] Intellectual property (19)
- [ ] Professional negligence (25)
- [ ] Other non-PI/PD/WD tort (35)

Employment
- [ ] Wrongful termination (36)
- [ ] Other employment (15)

Contract
- [ ] Breach of contract/warranty (06)
- [ ] Rule 3.740 collections (09)
- [ ] Other collections (09)
- [ ] Insurance coverage (18)
- [ ] Other contract (37)

Real Property
- [X] Eminent domain/inverse condemnation (14)
- [ ] Wrongful eviction (33)
- [ ] Other real property (26)

Unlawful Detainer
- [ ] Commercial (31)
- [ ] Residential (32)
- [ ] Drugs (38)

Judicial Review
- [ ] Asset forfeiture (05)
- [ ] Petition re: arbitration award (11)
- [ ] Writ of mandate (02)
- [ ] Other judicial review (39)

Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)
- [ ] Antitrust/Trade regulation (03)
- [ ] Construction defect (10)
- [ ] Mass tort (40)
- [ ] Securities litigation (28)
- [ ] Environmental/Toxic tort (30)
- [ ] Insurance coverage claims arising from the above listed provisionally complex case types (41)

Enforcement of Judgment
- [ ] Enforcement of judgment (20)

Miscellaneous Civil Complaint
- [ ] RICO (27)
- [ ] Other complaint *(not specified above)* (42)

Miscellaneous Civil Petition
- [ ] Partnership and corporate governance (21)
- [ ] Other petition *(not specified above)* (43)

2. This case [ ] is [X] is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
   a. [ ] Large number of separately represented parties
   b. [ ] Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
   c. [ ] Substantial amount of documentary evidence
   d. [ ] Large number of witnesses
   e. [ ] Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
   f. [ ] Substantial postjudgment judicial supervision
3. Remedies sought *(check all that apply)*: a. [ ] monetary b. [X] nonmonetary; declaratory or injunctive relief c. [ ] punitive
4. Number of causes of action *(specify)*:
5. This case [ ] is [X] is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. *(You may use form CM-015.)*

Date: MAY 26, 2010

JOHN A. MINOR
(TYPE OR PRINT NAME)

[signature]
(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE
- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Legal Solutions Plus

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check one box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the primary cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than $25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort
- Auto (22)—Personal Injury/Property Damage/Wrongful Death
- Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort
- Asbestos (04)
  - Asbestos Property Damage
  - Asbestos Personal Injury/Wrongful Death
- Product Liability (*not asbestos or toxic/environmental*) (24)
- Medical Malpractice (45)
  - Medical Malpractice—Physicians & Surgeons
  - Other Professional Health Care Malpractice
- Other PI/PD/WD (23)
  - Premises Liability (e.g., slip and fall)
  - Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
  - Intentional Infliction of Emotional Distress
  - Negligent Infliction of Emotional Distress
  - Other PI/PD/WD

Non-PI/PD/WD (Other) Tort
- Business Tort/Unfair Business Practice (07)
- Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)
- Defamation (e.g., slander, libel) (13)
- Fraud (16)
- Intellectual Property (19)
- Professional Negligence (25)
  - Legal Malpractice
  - Other Professional Malpractice (*not medical or legal*)
- Other Non-PI/PD/WD Tort (35)

Employment
- Wrongful Termination (36)
- Other Employment (15)

Contract
- Breach of Contract/Warranty (06)
  - Breach of Rental/Lease Contract (*not unlawful detainer or wrongful eviction*)
  - Contract/Warranty Breach—Seller Plaintiff (*not fraud or negligence*)
  - Negligent Breach of Contract/Warranty
  - Other Breach of Contract/Warranty
- Collections (e.g., money owed, open book accounts) (09)
  - Collection Case—Seller Plaintiff
  - Other Promissory Note/Collections Case
- Insurance Coverage (*not provisionally complex*) (18)
  - Auto Subrogation
  - Other Coverage
- Other Contract (37)
  - Contractual Fraud
  - Other Contract Dispute

Real Property
- Eminent Domain/Inverse Condemnation (14)
- Wrongful Eviction (33)
- Other Real Property (e.g., quiet title) (26)
  - Writ of Possession of Real Property
  - Mortgage Foreclosure
  - Quiet Title
  - Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

Unlawful Detainer
- Commercial (31)
- Residential (32)
- Drugs (38) (*if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential*)

Judicial Review
- Asset Forfeiture (05)
- Petition Re: Arbitration Award (11)
- Writ of Mandate (02)
  - Writ–Administrative Mandamus
  - Writ–Mandamus on Limited Court Case Matter
  - Writ–Other Limited Court Case Review
- Other Judicial Review (39)
  - Review of Health Officer Order
  - Notice of Appeal–Labor Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)
- Antitrust/Trade Regulation (03)
- Construction Defect (10)
- Claims Involving Mass Tort (40)
- Securities Litigation (28)
- Environmental/Toxic Tort (30)
- Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

Enforcement of Judgment
- Enforcement of Judgment (20)
  - Abstract of Judgment (Out of County)
  - Confession of Judgment (*non-domestic relations*)
  - Sister State Judgment
  - Administrative Agency Award (*not unpaid taxes*)
  - Petition/Certification of Entry of Judgment on Unpaid Taxes
  - Other Enforcement of Judgment Case

Miscellaneous Civil Complaint
- RICO (27)
- Other Complaint (*not specified above*) (42)
  - Declaratory Relief Only
  - Injunctive Relief Only (*non-harassment*)
  - Mechanics Lien
  - Other Commercial Complaint Case (*non-tort/non-complex*)
  - Other Civil Complaint (*non-tort/non-complex*)

Miscellaneous Civil Petition
- Partnership and Corporate Governance (21)
- Other Petition (*not specified above*) (43)
  - Civil Harassment
  - Workplace Violence
  - Elder/Dependent Adult Abuse
  - Election Contest
  - Petition for Name Change
  - Petition for Relief from Late Claim
  - Other Civil Petition

SHORT TITLE:	CASE NUMBER
CITY OF LOS ANGELES vs. FERNANDO FLORES, et al.	BC438542

CIVIL CASE COVER SHEET ADDENDUM AND STATEMENT OF LOCATION
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)

This form is required pursuant to LASC Local Rule 2.0 in all new civil case filings in the Los Angeles Superior Court.

Item I. Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL? ☐ YES CLASS ACTION? ☐ YES LIMITED CASE? ☐ YES TIME ESTIMATED FOR TRIAL 1 ☐ HOURS/ ☑ DAYS

Item II. Select the correct district and courthouse location (4 steps – If you checked "Limited Case", skip to Item III, Pg. 4):

Step 1: After first completing the Civil Case Cover Sheet Form, find the main civil case cover sheet heading for your case in the left margin below, and, to the right in Column **A**, the Civil Case Cover Sheet case type you selected.

Step 2: Check one Superior Court type of action in Column **B** below which best describes the nature of this case.

Step 3: In Column **C**, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Los Angeles Superior Court Local Rule 2.0.

Applicable Reasons for Choosing Courthouse Location (see Column C below)

1. Class Actions must be filed in the County Courthouse, Central District.
2. May be filed in Central (Other county, or no Bodily Injury/Property Damage).
3. Location where cause of action arose.
4. Location where bodily injury, death or damage occurred.
5. Location where performance required or defendant resides.
6. Location of property or permanently garaged vehicle.
7. Location where petitioner resides.
8. Location wherein defendant/respondent functions wholly.
9. Location where one or more of the parties reside.
10. Location of Labor Commissioner Office.

Step 4: Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Auto Tort	Auto (22)	☐ A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Uninsured Motorist (46)	☐ A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1., 2., 4.
Other Personal Injury/Property Damage/Wrongful Death Tort	Asbestos (04)	☐ A6070 Asbestos Property Damage ☐ A7221 Asbestos - Personal Injury/Wrongful Death	2. 2.
	Product Liability (24)	☐ A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
	Medical Malpractice (45)	☐ A7210 Medical Malpractice - Physicians & Surgeons ☐ A7240 Other Professional Health Care Malpractice	1., 2., 4. 1., 2., 4.
	Other Personal Injury Property Damage Wrongful Death (23)	☐ A7250 Premises Liability (e.g., slip and fall) ☐ A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) ☐ A7270 Intentional Infliction of Emotional Distress ☐ A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 2., 4. 1., 2., 4. 1., 2., 3. 1., 2., 4.
Non-Personal Injury/Property Damage/Wrongful Death Tort	Business Tort (07)	☐ A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 2., 3.
	Civil Rights (08)	☐ A6005 Civil Rights/Discrimination	1., 2., 3.
	Defamation (13)	☐ A6010 Defamation (slander/libel)	1., 2., 3.
	Fraud (16)	☐ A6013 Fraud (no contract)	1., 2., 3.

SHORT TITLE: CITY OF LOS ANGELES vs. FERNANDO FLORES, et al.	CASE NUMBER

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons -See Step 3 Above
Non-Personal Injury/Property Damage/ Wrongful Death Tort (Cont'd.)	Professional Negligence (25)	☐ A6017 Legal Malpractice ☐ A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3. 1., 2., 3.
	Other (35)	☐ A6025 Other Non-Personal Injury/Property Damage tort	2.,3.
Employment	Wrongful Termination (36)	☐ A6037 Wrongful Termination	1., 2., 3.
	Other Employment (15)	☐ A6024 Other Employment Complaint Case ☐ A6109 Labor Commissioner Appeals	1., 2., 3. 10.
Contract	Breach of Contract/ Warranty (06) (not insurance)	☐ A6004 Breach of Rental/Lease Contract (not Unlawful Detainer or wrongful eviction) ☐ A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) ☐ A6019 Negligent Breach of Contract/Warranty (no fraud) ☐ A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2., 5. 2., 5. 1., 2., 5. 1., 2., 5.
	Collections (09)	☐ A6002 Collections Case-Seller Plaintiff ☐ A6012 Other Promissory Note/Collections Case	2., 5., 6. 2., 5.
	Insurance Coverage (18)	☐ A6015 Insurance Coverage (not complex)	1., 2., 5., 8.
	Other Contract (37)	☐ A6009 Contractual Fraud ☐ A6031 Tortious Interference ☐ A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 5. 1., 2., 3., 5. 1., 2., 3., 8.
Real Property	Eminent Domain/Inverse Condemnation (14)	☑ A7300 Eminent Domain/Condemnation Number of parcels 1	2.
	Wrongful Eviction (33)	☐ A6023 Wrongful Eviction Case	2., 6.
	Other Real Property (26)	☐ A6018 Mortgage Foreclosure ☐ A6032 Quiet Title ☐ A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6. 2., 6. 2., 6.
Unlawful Detainer	Unlawful Detainer-Commercial (31)	☐ A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
	Unlawful Detainer-Residential (32)	☐ A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
	Unlawful Detainer-Drugs (38)	☐ A6022 Unlawful Detainer-Drugs	2., 6.
Judicial Review	Asset Forfeiture (05)	☐ A6108 Asset Forfeiture Case	2., 6.
	Petition re Arbitration (11)	☐ A6115 Petition to Compel/Confirm/Vacate Arbitration	2., 5.

SHORT TITLE: CITY OF LOS ANGELES vs. FERNANDO FLORES, et al.	CASE NUMBER

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Judicial Review (Cont'd.)	Writ of Mandate (02)	☐ A6151 Writ - Administrative Mandamus ☐ A6152 Writ - Mandamus on Limited Court Case Matter ☐ A6153 Writ - Other Limited Court Case Review	2., 8. 2. 2.
	Other Judicial Review (39)	☐ A6150 Other Writ /Judicial Review	2., 8.
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	☐ A6003 Antitrust/Trade Regulation	1., 2., 8.
	Construction Defect (10)	☐ A6007 Construction defect	1., 2., 3.
	Claims Involving Mass Tort (40)	☐ A6006 Claims Involving Mass Tort	1., 2., 8.
	Securities Litigation (28)	☐ A6035 Securities Litigation Case	1., 2., 8.
	Toxic Tort Environmental (30)	☐ A6036 Toxic Tort/Environmental	1., 2., 3., 8.
	Insurance Coverage Claims from Complex Case (41)	☐ A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.
Enforcement of Judgment	Enforcement of Judgment (20)	☐ A6141 Sister State Judgment ☐ A6160 Abstract of Judgment ☐ A6107 Confession of Judgment (non-domestic relations) ☐ A6140 Administrative Agency Award (not unpaid taxes) ☐ A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax ☐ A6112 Other Enforcement of Judgment Case	2., 9. 2., 6. 2., 9. 2., 8. 2., 8. 2., 8., 9.
Miscellaneous Civil Complaints	RICO (27)	☐ A6033 Racketeering (RICO) Case	1., 2., 8.
	Other Complaints (Not Specified Above) (42)	☐ A6030 Declaratory Relief Only ☐ A6040 Injunctive Relief Only (not domestic/harassment) ☐ A6011 Other Commercial Complaint Case (non-tort/non-complex) ☐ A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8. 2., 8. 1., 2., 8. 1., 2., 8.
Miscellaneous Civil Petitions	Partnership Corporation Governance(21)	☐ A6113 Partnership and Corporate Governance Case	2., 8.
	Other Petitions (Not Specified Above) (43)	☐ A6121 Civil Harassment ☐ A6123 Workplace Harassment ☐ A6124 Elder/Dependent Adult Abuse Case ☐ A6190 Election Contest ☐ A6110 Petition for Change of Name ☐ A6170 Petition for Relief from Late Claim Law ☐ A6100 Other Civil Petition	2., 3., 9. 2., 3., 9. 2., 3., 9. 2. 2., 7. 2., 3., 4., 8. 2., 9.

SHORT TITLE: CITY OF LOS ANGELES vs. FERNANDO FLORES, et al.	CASE NUMBER

Item III. Statement of Location: Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., Step 3 on Page 1, as the proper reason for filing in the court location you selected.

REASON: CHECK THE NUMBER UNDER COLUMN C WHICH APPLIES IN THIS CASE ☐1. ☑2. ☐3. ☐4. ☐5. ☐6. ☐7. ☐8. ☐9. ☐10.			ADDRESS: FERNANDO FLORES 4124 NORTH MISSION ROAD
CITY: LOS ANGELES	STATE: CA	ZIP CODE: 90032	

Item IV. *Declaration of Assignment*: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the Downtown courthouse in the Central District of the Los Angeles Superior Court (Code Civ. Proc., § 392 et seq., and LASC Local Rule 2.0, subds. (b), (c) and (d)).

Dated: May 24, 2010

(SIGNATURE OF ATTORNEY/FILING PARTY)

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet form CM-010.
4. Complete Addendum to Civil Case Cover Sheet form LACIV 109 (Rev. 01/07), LASC Approved 03-04.
5. Payment in full of the filing fee, unless fees have been waived.
6. Signed order appointing the Guardian ad Litem, JC form FL-935, if the plaintiff or petitioner is a minor under 18 years of age, or if required by Court.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

COUNTY OF LOS ANGELES

COURTHOUSE ADDRESS: 111 HILL STREET, LA, CA 90012

PLAINTIFF/PETITIONER: CITY OF LOS ANGELES

DEFENDANT/RESPONDENT: DANIEL P. WHALEN

MAR 2 0 2020

Sherri R. Carter, Executive Officer/Clerk of Court

By _____, Deputy

Mariah Salazar

REQUEST FOR COPIES

CASE NUMBER: 20 SMCV 00104

I request copies of the following document(s):

DATE FILED	DOCUMENTS	# PGS.	# CERT	COPIES	TOTAL
	Register Page				
	Dissolution				
	Support Order				
01/14/20	Complaint/~~Answer~~	3			
	Judgments				
	Dismissal				
	Will				
	Letters				
	Decree				
	Records Search				
	Minute Order				
	Order				
	Entire File				
	Other				
	TOTAL	3			

PAYMENT	
☐	Payment Verification Imprint on Reverse
☐	Cash $
☐	Check/MO # $
☐	Credit Card $
NO FEE	
☐	Fee Waiver (Gov. Code § 68630) Date Fee Waiver Granted:
XX	Exempt (Gov. Code § 6103) ID
PARTY	
XX	Plaintiff CITY OF LOS ANGELES
☐	Defendant
☐	Other:
SPECIAL INTRUCTIONS	

REQUESTOR'S INFORMATION

Printed Name:	CLARENCE PERRY	Phone: (213) 978-6960	
Address:	200 N. MAIN ST. #800		
City:	LOS ANGELES	State: CA	Zip Code: 90012

Date of Request: MARCH 20, 2020 Signature: _____

L.A. CITY ATTORNEY'S OFFICE

Note: All requests must be claimed within 30 days of order unless otherwise specified.

To be completed by the clerk upon completion of work.

Pages copied: 3

Exemplifications: _____

Certifications: _____

Other: _____

Total Fees Waived: 1.50

Date Completed: 3.20.2020

SHERRI R. CARTER, Executive Officer/Clerk

by _____ (Deputy Clerk)